



DEPARTMENT OF THE ARMY
NORTHWESTERN DIVISION, CORPS OF ENGINEERS
12565 WEST CENTER ROAD
OMAHA, NEBRASKA 68144-3869

REPLY TO
ATTENTION OF:

APR 04 2003

Missouri River Basin Water Management Division

Mr. Steven A. Williams, Director
U.S. Fish and Wildlife Service
U.S. Department of Interior
Room 3256
Washington, DC 20240-0001

Dear Mr. Williams:

This is a follow-up to my correspondence of March 14, 2003, providing you additional information regarding the Corps' two requests, both dated January 22, 2003, to reinstate formal consultation on (1) the current Water Control Plan (CWCP) for the Missouri River Mainstem Reservoir System (System), as described in the current Master Water Control Manual (Master Manual), and (2) the 2002-2003 Annual Operating Plan (2003 AOP). Attached to the referenced letters were Supplemental Biological Assessments for the CWCP and the 2003 AOP and additional information requested in your letter of March 5, 2003.

Subsequent to the March 14, 2003 correspondence, representatives of our agencies have been meeting to explore alternative operations for the 2003 AOP that are based on the best available science, comply with the Endangered Species Act (ESA), and simultaneously provide sufficient operational flexibility to operate the System for all the authorized project purposes under a wide range of runoff conditions. In the course of discussions, our agencies have also recognized the interrelatedness of discussions on the 2003 AOP with the more comprehensive consultation on the Master Manual, and our agencies have identified a number of common issues that need to be addressed in the course of detailed discussions on the Master Manual.

Enclosed is the Additional Supplemental Biological Assessment (BA) for the 2003 AOP that provides information developed since our January 22, 2003 Supplemental BA, and the additional information provided to you in our correspondence of March 14, 2003.


The proposed action described in the Additional Supplemental BA reflects the moderate-to-severe drought currently being experienced in the Missouri River Basin. The proposed action reflects the Corps' need to conserve water, serve Congressionally authorized project purposes, and comply with the ESA. We believe the proposed action minimizes impacts to Congressionally authorized project purposes while simultaneously meeting all requirements under the ESA for the listed piping plover, least tern, and pallid sturgeon.

We believe that our proposed action for 2003, as described in this Additional Supplemental BA, is consistent with the objectives of the November 2000 Biological Opinion (BiOp). As described in the Additional Supplemental BA, the proposed action may affect the listed least tern, piping plover, and pallid sturgeon and piping plover critical habitat. The proposed action will not impact the bald eagle. Further, we believe that actions taken toward implementation of the November 2000 Reasonable and Prudent Alternative (RPA), including creation of 2000 acres of shallow water habitat (SWH) by 2005 and support for hatchery operations, will have a positive effect on the pallid sturgeon.

By this letter, we are requesting that the U.S. Fish and Wildlife Service provide a supplement to the November 2000 BiOp for this proposed action prior to the 2003 interior least tern and piping plover nesting season. Further, we are requesting that formal consultation on the Master Manual be initiated immediately.

If you have any questions or need clarification of our request, please feel free to contact Mr. Larry Cieslik (402-697-2675), who is the point of contact for our consultation team. I look forward to our agencies' continued cooperation on these projects.

Sincerely,



David A. Fastabend
Brigadier General, U.S. Army
Division Engineer

Enclosure

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